ABSTRACT

PUBLIC SERVICES – INFRASTRUCTURE, AND INVESTMENT (PORTS) DEPARTMENT- Allegation of demand and acceptance of bribe against Sri Budda Adinarayana, S/o Jangamayya, Age 45 years, Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district - Sanction for Prosecution - Accorded - Reg.

INFRASTRUCTURE AND INVESTMENT (PORTS) DEPARTMENT

G.O. Ms.No.2 Dated:14-03-2023

ORDER:

1. WHEREAS, Sri Budda Adinarayana, S/o Jangamayya, Age 45 years, formerly worked as Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2(c) of Prevention of Corruption Act-1988.

2. AND WHEREAS, Sri Nayanala Venkata Raksha Gandhi, S/o Suryanarayana Murthy, Age 48 years, Occ/Business, R/o D. No. 16-23B-1/9, Road No.3, Pallamraju Nagar, Kakinada, East Godavari district. It is alleged that Sri NVR Gandhi is eking his lively-hood by doing business. Since 2009 he is supplying fresh water to the ships at Anchorage port, Kakinada through his Barge. To supply water in the sea he owned a Barge "SUNN GLORY" bearing No. AP IV-K-B-189. To run the above Barge in the Sea, registration has to be renewed every year. On 09.06.2019 he renewed the Barge registration which is valid up to 08.06.2020. The Port Officer Budda Adinarayana advised him in December, 2019 through Sri D. Venkata Rao, Conservator to change Barge registration renewal into KKD Registration by cancelling the I.V registration. Accordingly on 06.01.2020 when he met Sri D.Venkatarao (Conservator) at Port Office, Venkata Rao had informed him to submit necessary documents to process his application and demanded Rs. 60,000/- bribe. On that he left from the place without any discussion. On 23.01.2020 he met Conservator, Venkata Rao and submitted necessary documents for registration. After perusing the documents, Conservator Venkata Rao reminded him about bribe amount of Rs. 60,000/- which was asked by the Port officer earlier and further questioned him whether he brought the bribe amount or not? Then he requested the conservator to reduce the bribe amount but he stated that Sir didn't agree to reduce the amount and the work would be completed only after payment of bribe amount of Rs.60,000/-. If he wants to get the amount is reduced, he may meet the Sir directly and ask for reduction of bribe. The above voice conversation has been recorded through cell phone. Again on 24.01.2020 at 11:36 hrs conservator Venkata Rao contacted him from mobile No. 9866041033 to his mobile number 9121845999 and reminded for the proposed bribe amount when he

requested the Conservator to give some time and informed that he would come tomorrow and meet. For that conservator said okay. The above voice conversation was also recorded through phone. On 25-01-2020 evening at 05:30 hrs he went to the Port Office and met Port Officer Sri B. Adinarayana and informed him that Venkata Rao (conservator) had asked Rs. 60,000/- towards formality for Barge registration and requested to reduce the bribe. This voice conversation has also been recorded through phone. Since he has no interest in giving bribe to process his work, he had kept silent and at the same time the port officer also didn't conduct Barge inspection. On 05.02.2020 afternoon at about 01:00 hrs he made phone call to mobile No. 9816091033 of Venkata Rao and asked for Barge registration. In response Venkata Rao said that registration of his Barge will be completed only after paying the demanded bribe and informed to bring and pay the amount to him. Since there is no other go, he unwillingly agreed to pay him the demanded bribe. Since he has no interest to pay bribe amount, he met DSP, ACB Rajamahendravaram on 05.02.2020 at 16.00 hrs and lodged a complaint against Sri D.Venkata Rao, Port Conservator who had demanded Rs. 60,000/- of bribe for changing barge registration from I.V to KKD. The phone voice conversations dtd. 23-01-2020 and 24-01-2020 and direct voice conversation of Sri NVR Gandhi and Port Officer Sri B. Adinarayana dtd. 25-01-2020 were recorded through the phone and transmitted into a Pen drive and handed over the Pen drive to DSP, ACB, RJY along with his written report.

3. AND WHEREAS the DSP, ACB after observing procedural formalities registered the same as a case in Cr.No. 04/RCT-RJY/2020 on 06.02.2020 at 08.00 hours under section 7(a) of P.C (Amendment) Act-2018 and made arrangements for laying trap.

4. AND WHEREAS, having completed the pre-trap proceedings on 06.02.2020 the trap party lead by the DSP, ACB, Rajamahendravaram left the ACB office at 14.30 hours and reached the vicinity of right side open space in front of Port Administrative building at about 16.45 hours and at 17.40 hours Sri D.Venkata Rao, Port Conservator was trapped when he further demanded and accepted the bribe amount of Rs. 60,000/- for himself and for Port Officer Sri B. Adinarayana (Rs. 10,000/- & Rs. 50,000/- respectively) from Sri NVR Gandhi. Sri D. Venkata Rao, Port Conservator stated at the instance of Port Officer Sri B. Adinarayana, that he demanded and accepted above bribe amounts for himself and for the Port Officer Sri B. Adinarayana. The chemical test conducted on the left hand fingers of Sri D.Venkata Rao, Port Conservator yielded positive result and the solution in which Sri D.Venkata Rao rinsed his right hand fingers remained unchanged. On the request of DSP, Sri D.Venkata Rao, Port Conservator produced tainted amount of Rs. 60,000/- from his pant left side pocket. The DSP seized the same. When compared, the serial numbers of the recovered currency notes were found tallied with those of the serial Nos. of the currency notes and denomination, handed over by Sri NVR Gandhi, during pre-trap proceedings. The DSP seized the file pertaining to Srija Marine & Contracts Services, Pallamraju Nagar,

Kakinada containing following documents including the official favour pending file from Sri D.Venkata Rao, Port Conservator and Sri B. Adinarayana, Port Officer and also seized the office registers, samples of chemicals, resultant solutions and the DSP prepared the rough sketch of scene of offence. The DSP examined the relevant witnesses. The Inspector who took-up further investigation examined witnesses and finalized investigation.

5. AND WHEREAS, the investigation reveals that the above said acts of Sri Budda Adinarayana, S/o Jangamayya formerly worked as Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district constitute offences punishable under section 7 (a) of Prevention of Corruption (Amendment) Act-2018.

6. AND WHEREAS, the Special Chief Secretary to Government, Infrastructure and Investment (Ports) Department, Government of Andhra Pradesh, Amaravathi being the competent authority to remove Sri Budda Adinarayana, S/o Jangamayya formerly worked as Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district from service after fully and carefully examining the material (i.e. FIR, Mediator Reports, statement of witnesses, seized documents, Final Report etc.,) placed before the Government in respect of the said allegations and the circumstances of the case consider that Sri Budda Adinarayana, S/o Jangamayya formerly worked as Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district should be prosecuted in a Court of Law.

7. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption (Amendment) Act-2018, the Government hereby accord sanction for the Prosecution of Sri Budda Adinarayana, S/o Jangamayya formerly worked as Port Officer, O/o Port Office, A.P. Maritime Board Camp Office, Kakinada, East Godavari district for the said offences punishable U/s 7(a) of Prevention of Corruption (Amendment) Act-2018 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(R.KARIKAL VALAVEN)
SPECIAL CHIEF SECRETARY TO GOVERNEMNT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, VIJAYAWADA.